

Hal Armstrong, Utah Bar No. 10157
JLJ LAW GROUP, PLLC
124 South 400 East, Suite 410
Salt Lake City, Utah 84111
Telephone: 801-883-8204
Facsimile: 801-990-9033
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

GEORGE R. TORPE, an individual, Plaintiff, v. AURORA LOAN SERVICES, LLC, et al., Defendants.	PLAINTIFF'S OBJECTION TO DEFENDANTS' REQUEST TO SUBMIT FOR DECISION ON MOTION FOR SUMMARY JUDGMENT Case No. 2:11-cv-00971-DN Judge David Nuffer
--	--

Plaintiff George R. Torpe, by and through undersigned counsel, hereby objects to the Request to Submit for Decision filed by Defendants in this matter in that it was filed prematurely.

Although Defendants filed and served their Motion for Summary Judgment on May 9, 2014, they did not file or serve their Declaration (of Fay Janati) in support of that Motion, along with the documentation attached to it until May 12, 2014. *See* Docket Entry No. 52.

By local rule, the responding party has 28 days from the date of service to respond to a motion for summary judgment. DUCivR 7-1(b)(3)(A). Twenty-eight days after May 12, 2014, is June 9, 2014. Then, pursuant to Fed. R. Civ. P. 6(d), since service of the Declaration of Fay Janati in support of Defendants' Motion for Summary Judgment was served electronically under Fed. R. Civ. P. 5(b)(2)(E), three additional days are added, making Plaintiff's Memorandum in Opposition to Defendants' Motion due June 12, 2014. Thus, although that memorandum was

filed after Defendants' Request to Submit for Decision, Plaintiff's Memorandum in Opposition to Defendants' Motion for Summary Judgment is timely.

By this, and by separate notice, Plaintiff also requests oral argument on Defendants' Motion for Summary Judgment.

DATED this 12th day of June, 2014.

JLJ LAW GROUP, PLLC

/s/ Hal Armstrong

By: Hal Armstrong
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on June 12, 2014, the foregoing document was served upon the following via electronic service:

Philip D. Dracht
Fabian & Clendenin, P.C.

/s/ Hal Armstrong
Hal Armstrong